

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 60045

Steven J. Borowy

1922 Kelmores Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 2, 2009, for a Hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (b)(d) failure to store garbage in containers with tight fitting lids on residential property zoned DR 10.5 known as 1922 Kelmores Road, 21222.

On April 30, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Ed Creed issued a Code Enforcement citation.

The citation proposed a civil penalty of \$200.00 (two hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. This Citation was issued April 30, 2009. However, the Citation was not sent to Respondent at the address listed with the Maryland Department of Assessments and Taxation. This is a rental property and a prior Final Order in the file states that there is a tenant who has responsibility for proper storage of garbage. This Citation was not addressed to that Tenant, and also was not sent to the property owner.

IT IS ORDERED by the Code Enforcement Hearing Officer that the Citation is DISMISSED.

ORDERED this 10<sup>th</sup> day of June 2009.

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer